IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 6925 OF 2004

The Solapur District Supervision
Co-operative Societies Limited — Petitioner

vs.

1. The Assistant Provident Fund
Commissioner & anr. — Respondents

Mr.A.P.Kulkarni for Mr.S.S.Shah for the petitioner.

Ms.S.V.Bharucha for the respondent no.1.

CORAM : R. M. LODHA &
R. S. MOHITE,JJ.

DATED : 28th March 2005

P.C.

We are informed by the learned counsel for the petitioner that the petitioner has already preferred an appeal under the Employees Provident Fund and Miscellaneous Provisions Act, 1952 against the impugned order. We are further informed that the said appeal is coming up for consideration before the Appellate Authority on 7th May 2005. In this view of the matter, the learned counsel for the petitioner submits that the petitioner is not desirous of prosecuting the writ petition. He, however, prays for continuation of ad-interim order granted by this Court on 24th August 2004.

2. The appeal having been preferred by the petitioner

against the impugned order, obviously, this writ petition does not deserve further consideration. As it is the learned counsel for the petitioner prays for withdrawal of the writ petition.

3. Writ petition is dismissed as withdrawn. The ad-interim order granted by this Court on 24th August 2004 shall remain operative until 7th May 2005 when the appeal is coming up for consideration before the Appellate Authority.

4. However, we make it clear that consideration of the matter by the Appellate Authority for ad-interim/interim relief shall be independent of the ad-interim order passed by this Court on 24th August 2004 and continued until 7th May 2005.

(R.M. LODHA,J.)

(R.S. MOHITE,J.)